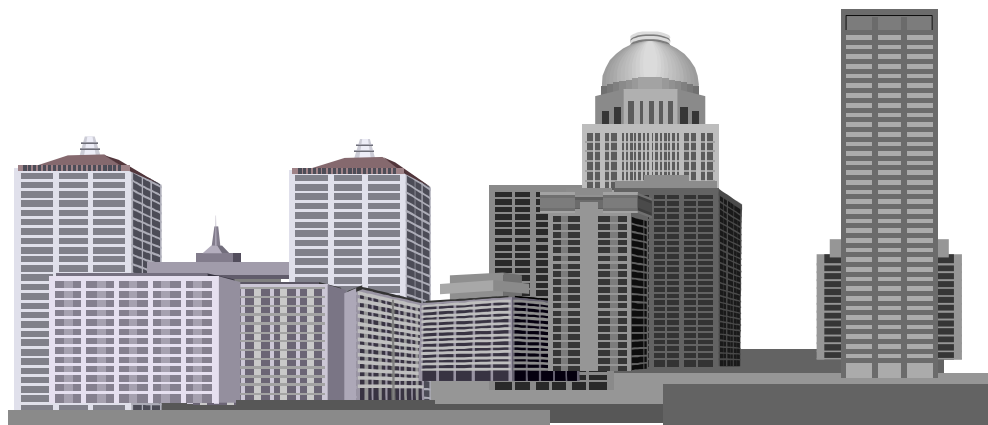


Metro Archives Newsletter



January-February, 2012

Inside this issue:

<i>Creating the Declaration of Independence</i>	2
<i>Storing the Declaration as a "Record"</i>	2
<i>Early Copies of the Declaration</i>	2
<i>Metro Archives "New" Public Website</i>	3
<i>Lady Justice's Lost Scales</i>	3
<i>Local Plat/ Subdivision Books</i>	3
<i>Fincastle & Kentucky County Roots</i>	3
<i>Upcoming Events / Calendar</i>	4

Did you know?



Metro Louisville owns one of only 31 known original Wm Stone copies of the Declaration of Independence?

Story on page 2...

In the News...

Social Media Spoliation Hits Lawyer Hard

The following article was published by ARMA International in their *NewsWire* monthly electronic newsletter. It was written by Diane Carlisle, CRM and dated Nov 30, 2011.

The extent to which social media becomes a part of litigation and e-discovery requirements might seem to be a moving target these days. Are Facebook accounts and postings admissible to litigation proceedings? Can an individual claim that their MySpace or LinkedIn postings should be considered private? Do the rules of e-discovery apply to social media tools just as they do for e-mail?

A recent case in Virginia is part of what seems to be a growing trend toward the acceptability of social media in civil litigation. In *Lester v. Allied Concrete Company*, the state judge ordered lawyer Matthew Murray to pay \$522,000 for instructing his client to remove photos from his Facebook profile, and for his client to pay an additional \$180,000 as penalty for removing the photos in the same account.

The court found that Murray told his client to remove photos from his Facebook account during his wrongful death case and instructed his client through his assistant to "clean up" his Facebook account. The blog noted that Murray's assistant e-mailed his client stating, "We do not want blow ups of other pics at trial, so please,

please clean up your Facebook and MySpace!"

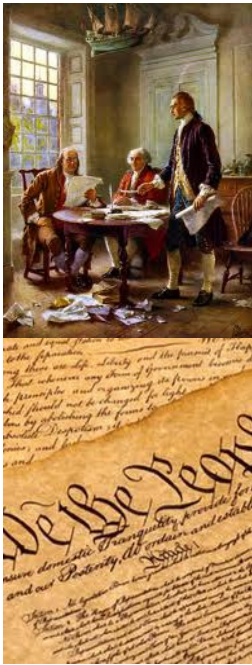
Although some attorneys have underplayed the importance and usefulness of social media in litigation, this Virginia case is part of a growing trend. The Winter 2010-2011 issue of *Journal of Civil Litigation* devoted the entire issue to the impact of social media on civil litigation. James J. O'Keefe and Joshua C. Johnson in "Social Media and Discovery-New Tools, Same Rules" come to the conclusion that "Under both federal and state rules-and at the risk of gross oversimplification-parties are generally entitled

to seek discovery of non-privileged information that appears reasonably calculated to lead to admissible evidence." In this case, the spoliation was blatant, and was undoubtedly a factor in the amounts of the fines levied against the plaintiff and his attorney. The blogger at *Next Generation eDiscovery Law and Tech* is of the opinion that, had the

attorney instructed his client to put appropriate legal hold procedures in place (including of the Facebook site), there would not have been a reason for the judge to issue sanctions.

Given the litigation trends that have been noted in a variety of articles, it is incumbent on information governance professions to address the use of social media in their organizations as a part of the information governance policy framework. Social media is increasingly a tool for marketing departments and a means of interacting with customers and potential customers.





Creating the Declaration of Independence

The Declaration of Independence was a statement adopted by the Continental Congress on July 4, 1776, which announced that the thirteen American colonies then at war with Great Britain regarded themselves as independent states and no longer a part of the British Empire.

A committee was assembled to draft the formal declaration and John Adams persuaded the committee to select Thomas Jefferson to compose the original draft of the document. Congress would then edit the draft to produce the final version.

Basically, the Declaration was a formal explanation of why Congress

had voted on July 2 to declare independence from Great Britain more than a year after the outbreak of the Revolutionary War. It listed colonial grievances against King George III and asserted certain rights of the people. July 4 is the day the wording of the Declaration was approved by Congress.

Although the wording was approved on July 4, the date of its signing has long been questioned. Most historians now agree that it was actually signed almost a month after its adoption on August 2, 1776.

The original draft of the Declaration has been lost. But the handwritten copy that was eventually signed by

Congress and dated July 4, 1776 is housed at the National Archives in Washington DC. It was signed by fifty-six delegates and it is now believed those signatures were not all



placed on the same day — but perhaps over a period of several weeks or months.

~Wikipedia

Probably the most famous signature on the Declaration of Independence is that of John Hancock. His is certainly the largest signature on the document. It is said that Mr. Hancock indicated he wanted the signature to be large enough for King George to see “without his spectacles.”

1823 Newspaper account regarding condition of the Declaration

“...the original of that paper which ought to be immortal and imperishable, by being so much handled by copyists and curious visitors, might receive serious injury. The facility of multiplying copies of it now possessed by the Department of State will render further exposure of the original unnecessary.”

Storing the Declaration as a “Record”

Assuming the Declaration moved during its early years with Congress, it would have moved from Pennsylvania to New Jersey to Maryland, then back to New Jersey over a period of nine years after its signing. Then in 1785, the Declaration was housed in the old New York City Hall where it probably remained until the close of 1790 when the document was returned to Philadelphia. It moved to the new federal capital in the District of Columbia in 1800.

In August, 1814 the United States was again at war with Great Britain. Secretary of State James Monroe observed the landing of British

forces along the Patuxent River in Maryland and alerted State Department officials of an imminent threat to the capital and the government's official records. A cartload of records (including the Declaration) was on its way to Leesburg, VA on August 24, the day the British attacked and burned the White House and other government buildings.

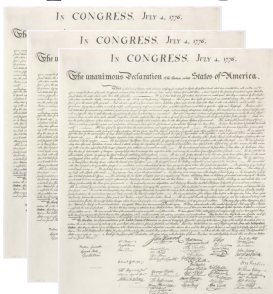
The Declaration remained safe at a private home in Leesburg for several weeks and eventually returned to the capital in September, 1814 where it has remained, with the exception of a trip to Philadelphia for the Centennial and to Fort Knox dur-

ing World War II, ever since.

Since 1952, the historic document has been stored in the National Archives. In 1987 the National Archives and Records Administration installed a \$3 million camera and computerized system to monitor the condition of the document (as well as the Bill of Rights and the Constitution). This camera can record fine detail in 1 inch square areas of documents and detect any changes in readability due to flaking, dimensions, fading, etc.

~National Archives and Records Administration

Spreading the Word with Copies of the Declaration



The first printed copies of the contents of the Declaration of Independence were turned out from the shop of John Dunlap, official printer of the Congress on July 5, 1776. It is unknown how many copies were made but there are 26 known to exist, today.

In June of 1823, William Stone made an exact copy of the original declaration. It is believed the copies were produced as “press copies” which were made by placing a damp sheet of thin paper on the original manuscript and pressing it until a portion of the ink was transferred. The ink

was then reimposed on a copper plate which was etched so copies could be run off the plate on a press.

There were 200 copies struck from the Stone plate. Thirty one copies are known to exist, today. One is owned by Metro Louisville. The plate is at the National Archives.

Visit our “New” Public Website

www.louisvilleky.gov/Technology/metro_archives/

We've recently updated the “look” and “feel” of the Metro Archives public website.

We've added more information about our collection and reference materials and started posting transcriptions of actual records submitted by our library patrons.

In addition, we are making current and past copies of this newsletter available online. A list of Archives Closings and Upcoming Events is also posted and updated on a regular basis.

Take a look and let us know what you think. Your feedback, suggestions and comments are always welcome!

There's even a page for you to use when contacting us.

Enjoy!



Help Find the Missing Scales for Lady Justice

As you have probably heard through the local media, the beautiful Thomas Jefferson statue in front of City Hall is missing something.

Not long ago, Councilman Tom Owen re-

ported the scales were missing from the hand of Lady Justice (one of the figures at the base of the statue).

Mayor Greg Fischer is asking all citizens to

keep a watchful eye out for the missing scales so they can be returned to their rightful “owner.”

We'll keep you updated.

Local Plat and Subdivision Books Available to Researchers



A plat in the U.S. is a map, drawn to scale, showing the divisions of a piece of land. U.S. General Land Office surveyors drafted township plats of Public Lands Surveys to show the distance and bearing between section corners, sometimes including topographic or vegetation information. City, town or village plats split subdivisions into blocks with streets and alleys. And, further refinement often splits blocks into individual lots, usually

for the purpose of selling the described lots, this has become known as subdivision. After the filing of a plat, legal descriptions can refer to block and lot-numbers rather than portions or sections.

~Wikipedia

Local Plat Books 1–36 with date ranges 1902–1987 are available to researchers M-F from 8am-5pm at Metro Archives.

Tracing Your Roots in Fincastle & Kentucky Counties, Virginia

Fincastle County, Virginia was created in 1772 from Botetourt County, Virginia and the boundaries extended all the way to the Mississippi River. Kentucky County was formed by the Commonwealth of Virginia by dividing Fincastle County into three new counties; Kentucky, Washington and Montgomery, effective December 31, 1776.

Four years later, Kentucky County was abolished on June 30, 1780, when it was divided into Fayette, Jefferson and Lincoln counties of Virginia. These three counties later petitioned together to secede from Virginia, which was approved by the Virginia House of Burgesses. In 1792, the Commonwealth of

Kentucky was admitted to the United States as it's fifteenth state.


Since both Fincastle and Kentucky counties were abolished, records from these early counties can be difficult to locate and the search can be both confusing and frustrating. The early records were sometimes lost (or never recorded) but more often were housed in the nearest new county seat. Thus, a resident of Jefferson County, Kentucky in 1792 (who had lived in the same spot for over 20 years) might have earlier legal proceedings recorded in Kentucky County Virginia, Fincastle County, Virginia and/or Botetourt County Virginia.

This works in reverse as well. For example, early Kentucky County records might now be found in Fayette, Jefferson or Lincoln counties in Kentucky.

Louisville Metro Archives houses the early land entry book from Kentucky County, Virginia which begins in 1779. For many years, historians believed the Land Entries for Kentucky county were lost when, in fact, they were mislabeled as: “Jefferson County Entry Book A.” These early entries were probably transferred to Jefferson County by George May, the surveyor of Kentucky County, who later served as the surveyor of Jefferson County.

Upcoming Events...

January 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 	2 Archives CLOSED	3	4	5	6	7
8	9	10	11	12	13	14
15	16 Archives CLOSED	17 ARMA Meeting	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2 	3	4
5	6	7	8	9	10	11
12	13	14 	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

Please contact the Metro Archives Staff at (502) 574-2554 for details and/or additional information about any scheduled event/s.